

OGC-79-00879  
File Jan 79

DD/A Registry

79-0074

19 JAN 1979

DD/IS&T# 032-79

MEMORANDUM FOR: Deputy Director for Operations  
Deputy Director for Science and Technology  
General Counsel

FROM : John F. Blake  
Deputy Director for Administration

DD/A Registry

File Commo-5

SUBJECT : CIA/NSA Memorandum of Understanding Regarding  
Development and Use of COMSEC Equipment

1. Action Requested: Paragraph 2.c below contains the text of a CIA/NSA Memorandum of Understanding (MOU) which is being submitted for your consideration and concurrence. It is a counterproposal drafted by the Office of Communications in response to an MOU drafted by the National Security Agency (NSA). The NSA draft is attached.

2. Background:

a. Earlier this year, during the CIA/NSA negotiations over the language of the National Communications Security Directive, the Office of Communications (OC), on behalf of the Agency, agreed to work out an understanding with NSA which would more sharply define [redacted] use of Communications Security (COMSEC) equipment. The agreement to work out such a statement was given as quid pro quo for NSA acceptance of a paragraph in the National COMSEC Directive which exempts CIA from certain national COMSEC policy constraints when it conducts communications in performance of its NSCID No. 5 functions.

b. Pursuant to the agreement explained in the preceding paragraph, NSA drafted the MOU text which is attached. The NSA draft is unacceptable because it requires "...case-by-case authorization." That phrase could be used to compel the Agency to disclose

NSA review(s) completed.  
OGC Has Reviewed

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the operational details ☐

☐ In its counterproposal, OC uses language which is based on the premise that when a cryptographic system is certified as providing an acceptable level of communications protection or security, the operational deployment of that system is a matter which should be left to the discretion of the Agency.

c. The MOU which is being proposed as a substitute for the NSA version is: "The CIA may develop and deploy unique cryptographic equipment to safeguard telecommunications conducted in support of special operations authorized by NSCID No. 5. NSA shall approve such cryptographic equipment and shall advise CIA of any proscriptions associated with the application of such unique equipment." ☐

3. Recommendation: Please indicate your concurrence with the language proposed in paragraph 2.c above. ☐

John F. Blake

Attachment:  
As stated.

CONCURRENCE:

John H. Stein

10 JAN 1979

*A/* Deputy Director for Operations

Date

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☐ Deputy Director for Science and Technology

25 JAN 1979

Date

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*ISI* ☐ General Counsel *for*

9 April 1979  
Date

\*In accordance with  
oral advice previously  
provided

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SUBJECT: CIA/NSA Memorandum of Understanding Regarding  
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ORIGINATOR:

Director of Communications

1-5-79  
Date

**SECRET**

MEMORANDUM OF UNDERSTANDING

SUBJECT: MOU Regarding Development and Use of COMSEC Equipment Under  
NSCID No. 5 (U)

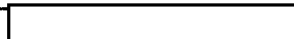
(S) Equipment and material for the security or protection of telecommunications may be developed and produced by the Central Intelligence Agency only upon case-by-case authorization of the Director, National Security Agency, and are to be used only in clandestine operations as provided for by NSCID No. 5.

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Deputy Director, NSA  
for  
Communications Security



Director of Communications  
Central Intelligence Agency

Date:

*30 October 1978*

Date:

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